

In re Application of: Zion AZAR et al.  
Serial No.: 10/802,390  
Filed: March 17, 2004  
Final Office Action Mailing Date: June 25, 2009

Examiner: Hasan Syed AHMED  
Group Art Unit: 1615  
Attorney Docket: 35682

### **REMARKS**

Reconsideration of the above-identified Application in view of the amendments above and the remarks following is respectfully requested.

The Application now comprises, after amendments, claims 1-6, of which claim 1 is the only independent claim and amended herewith.

Claims 7-13 are cancelled in the present response in order to further the Application towards allowance.

Claims 1 and 6 stand rejected under 35 U.S.C. §102(a) as being anticipated by Beaudry (US Patent No. 6,676,501).

The Examiner repeats his rejection in the previous Office Action to which Applicants have provided their response on March 23, 2009. Applicants have argued that Beaudry fails to teach at least two features of claim 1. Beaudry does not use elastomer or sponge material backing the abrasive surface and that Beaudry fails to teach two slits formed in the elastomer and sponge material as required by claim 1.

In the present Office Action, the Examiner responds to Applicants' arguments and disagrees with Applicants that Beaudry fails to teach elastomer or sponge material. Regarding the slits in the backing, the Examiner states that the feature is not present in the claim. The reason for that is that the claim recites the elastomer or sponge material being formed with slits, and not that slits are formed in the backing.

Applicants disagree with both of the Examiner's responses. However, in order to further the Application towards allowance, Applicants have amended claim 1 in accordance with the Examiner's suggestion to specifically recite that "two slits are formed in the elastomer or sponge material". The Examiner has not found slits formed in the backing material of Beaudry. Accordingly, it is submitted that claim 1 and its dependent claims are patentable over Beaudry.

Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Beaudry in view of Rosborne (US Patent No. 3,775,014).

According to the Examiner, Beaudry teaches all of the claimed features except for the sponge material of claim 2 or the ring of claims 3-5, which are taught by Rosborne. Applicants have argued in their previous response of March 23, 2009 against the combination of the reference and the Examiner submits his disagreement in the present Office Action.

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While Applicants are still of the opinion that the combination of the references is unobvious, as submitted above, Beaudry fails to teach at least one feature of claim 1, namely "two slits are formed in the elastomer or sponge material". This feature is also not taught by Rosborne.

Accordingly, claim 1 is patentable over Beaudry in view of Rosborne. The dependent claims are patentable at least by virtue of their patentable parent claim.

In view of the above remarks, reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

 41,016

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